IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISIDICTION
CONTEMPT PETITION NO.83 OF 2003

Smt.Jayashree D.Shah
and Anr. ...Petitioners

Vs.

Ramesh G.Kataria and ors. ...Respondents

....

Mr.Sarang Khazonde i/b Smt.N.V.Kini & Co.
for Petitioners

....

CORAM : B.H.MARLAPALLE,J.

DATE : JANUARY 27,2005

P.C.:

1. Mr.Sarang Khanzode, the learned counsel for the petitioner. It is alleged that the consent decree has not been followed by the respondetns and therefore, this contempt petition.

2. Admittedly, no execution proceedings have been initiated as yet and when the remedy for execution is available, the respondents cannot be proceeded agaisnt the contemnor as has been held by the Supreme Court in the case of **Babu Ram Gupta Vs. Sudhir Bhasin and another reported in AIR 1979 SC 1528.**

3. Contempt petition is therefore, rejected.

[B.H.MARLAPALLE,J.]